

IN RE: DEVELOPMENT PLAN HEARING and * BEFORE THE
PETITION FOR VARIANCE – N&S/S
Middletown Road, W/S Slab Bridge Road * ZONING COMMISSIONER
(21441 & 21501 Middletown Road)
6th Election District * OF BALTIMORE COUNTY
3rd Council District * Cases Nos. VI-238 & 02-198-A

James R. Frederick, et ux
Owners/Developers *

HEARING OFFICER'S OPINION AND DEVELOPMENT PLAN ORDER

This matter comes before this Hearing Officer/Zoning Commissioner, pursuant to Section 26-206.1 of the Baltimore County Code, which provides for a single public hearing to consider development plan approval and zoning relief. In this case, approval is requested of a red-lined development plan prepared by Gerhold, Cross & Etzel, Ltd., for the proposed residential subdivision of the subject property, by James R. Frederick and his wife, Charlotte C. Frederick. In addition, variance relief is requested from Section 1A01.3.B.3 of the B.C.Z.R. to permit a setback of 50 feet, more or less, from the centerline of a street, in lieu of the required 75 feet for the existing dwelling, known as 21501 Middletown Road. Variance relief is also requested from Section 400.1 of the B.C.Z.R. to permit an existing accessory structure (garage) to be located in the side yard in lieu of the required rear yard, for the property known as 21441 Middletown Road. The subject property consists of a gross area of 113 acres, more or less, zoned R.C.2, and is located on both the north and south sides of Middletown Road, between Baker School House Road and Slab Bridge Road in Freeland. The proposed subdivision is more particularly described on the red-lined development plan submitted and marked into evidence as Developer's Exhibit 1.

As to the history of this project through the development review process codified in Title 26 of the Baltimore County Code, a concept plan of the proposed development was prepared and a conference held thereon on September 10, 2001. As required, a Community Input Meeting (CIM) was held on October 24, 2001 at the Hereford Middle School. Subsequently, a development plan was submitted and a conference held thereon on February 6, 2002. Following the submission of that plan, development plan comments were submitted by the appropriate reviewing agencies of

ORDER RECEIVED FOR FILING
Date 3/13/02
By [Signature]

Baltimore County and a revised development plan incorporating these comments was submitted at the hearing held before me on March 1, 2002.

Appearing at the public hearing required for this project were James R. Frederick, property owner/Developer, Scott Lindgren, on behalf of Gerhold, Cross & Etzel, the consultants who prepared the development plan, and Howard L. Alderman, Jr., Esquire, attorney for the Owners/Developers. Numerous representatives of the various Baltimore County agencies who reviewed the plan attended the hearing, including the following individuals from the Department of Permits and Development Management (DPDM): Walt Smith, Project Manager; Bob Bowling, Development Plans Review; and Donna Thompson, Zoning Review. Also appearing on behalf of the County were Mark A. Cunningham, Office of Planning (OP); Todd Taylor, Department of Environmental Protection and Resource Management (DEPRM); and Jan Cook, Department of Recreation and Parks (R&P). There were no citizens from the surrounding locale or other interested persons present.

As noted above, the subject property is an irregularly shaped parcel located with frontage on both sides of Middletown Road, between Baker School House Road and Slab Bridge Road in northern Baltimore County. The property is actually comprised of three contiguous parcels of land, all of which are zoned R.C.2. Collectively, the property contains 113 acres, zoned R.C.2, and is improved with two dwellings, both of which are located on the north side of Middletown Road. The first is a two-story frame dwelling, which is approximately 100 years old. This dwelling is located immediately adjacent to the right-of-way of Middletown Road and bears the address 21501 Middletown Road. Further to the rear of that portion of the tract on the north side of Middletown Road is the second dwelling, which is a two and one-half story brick dwelling known as 21441 Middletown Road. In addition to these structures, the property contains several outbuildings including an existing barn and freestanding garage. The portion of the tract located on the south side of Middletown Road is generally unimproved. Much of the property is used for agricultural purposes; however, the property does feature a pond and areas of forests.

3/13/12
JBP

Pursuant to a prior zoning hearing before the undersigned in Case No. 01-541-SPH, the property owners requested special hearing relief to transfer one density unit between two of the three parcels which make up the overall tract. The transfer did not increase the number of lots permitted, but was necessary in order to legitimize the two existing dwellings. The relief requested was granted by my Order of September 14, 2001 and was a prerequisite to the development plan approval being sought at the present time.

As more particularly shown on the development plan, the owners propose to subdivide the property into five lots. Lot 1 is located on the north side of Middletown Road and will contain the dwelling known as 21441 Middletown Road and an accessory garage, which is the subject of the variance request. Lot 1 will contain 22.414 acres in area. The second lot on the north side of Middletown Road is shown as Lot 5. That lot will be 12.698 acres in area and will contain the dwelling known as 21501 Middletown Road. The three other lots are proposed to be located on the south side of Middletown Road. Lot 2 is located immediately adjacent to Middletown Road and will contain 23.626 acres in area. Lot 3 is located adjacent to the intersection of Middletown Road and Slab Bridge Road and will contain 39.728 acres. Lot 4 will be 13.182 acres in area and has frontage on Slab Bridge Road.

Pursuant to Section 26-206 of the Baltimore County Code, which regulates the conduct at the Hearing Officer's Hearing, I am required to first identify any unresolved agency comments or issues. In this regard, Mr. Alderman indicated that there were no outstanding issues but for a single minor concern. Specifically, house numbers have not been assigned. In response thereto, Mr. Smith, the Project Manager, indicated that this issue could be easily resolved. It is anticipated that the existing houses will retain their numbers and that new addresses will be given to the three newly created lots. Other than this minor issue, Counsel for the Developer indicated that there were no outstanding issues.

As to the County agency representatives present, Mr. Cook indicated that there were no outstanding issues from the Department of Recreation & Parks (see Note #9). Similarly, Ms. Thompson indicated that there were no outstanding issues from the Zoning Review division of the

3/13/02
[Signature]

Department of Permits and Development Management (DPDM), and Mr. Cunningham advised that there were no issues from the Office of Planning. Mr. Bowling, on behalf of the Department of Public Works, noted that all issues from his department had been resolved. The final issue identified by his Department had been removed by the insertion of Note #16 on the plan. Essentially, that note requires a drainage and utility easement area of 10 feet around the perimeter of the property.

The only agency with substantive issues raised was the Department of Environmental Protection and Resource Management (DEPRM). Specifically, there were three issues identified, two of which were resolved at the hearing. The first regards certain piping adjacent to the existing dwelling known as 21441 Middletown Road. Apparently as part of the heat pump system, an underground pipe system was installed to boost the efficiency of the heat pump. This is a closed system that utilizes heated water. It does not draw additional ground water. Mr. Seeley indicated that the area of the piping should be identified and it was agreed that the plan need be amended accordingly. Since the system is closed, there is no impact on the ground water resource. Thus, this issue appears easily resolved.

The second issue relates to a forest buffer variance from DEPRM requested by the property owners. That variance was granted, as evidenced by Developer's Exhibit 2, a letter from DEPRM to Gerhold, Cross & Etzel, Ltd., dated February 28, 2002. Mr. Frederick has executed a copy of that letter and indicated that his wife, as co-property owner, would also execute the letter and agree to its terms. Thus, this issue shall be resolved.

The third issue relates to a matter contained within the Concept Plan Comments issued by Wallace Lippincott of the Department of Environmental Protection and Resource Management (DEPRM). This issue was raised at the Concept Plan phase under the heading of Agricultural Preservation. Essentially, that comment indicates that Lot 5 should be limited to 2.0 acres with the balance to remain with the residence on proposed Lot 1. In response thereto, Mr. Alderman indicated that the configuration and layout of lots was generally addressed in the special hearing relief granted in prior Case No. 01-541-SPH. Thus, this issue has been fully resolved and there

CR-2002-01-541-SPH
Dac 3/13/02
BW

was no appeal taken from the decision rendered in that case. As importantly, it is to be noted that DEPRM has reduced the area of the forest buffer variance as originally requested by the owners/Developers. As granted, the forest buffer variance area is reduced to the area of the pond and an area around the perimeter thereof. The remaining portion of the tract for which variance relief was requested will remain as a forest buffer. This buffer bisects Lot 1 from other areas of the site and effectively eliminates the use of the northern portion of the overall tract as a contiguous parcel to the other agricultural areas of the property.

Although appreciative of Mr. Lippincott's concerns, I am persuaded that the issue was properly resolved in the Petition for Special Hearing. Moreover, the area of forest buffer, as a practical component, supports the subdivision and the layout proposed. Thus, I will not require an alteration to the plan to reconfigure Lot 5.

As noted above, there were no Protestants or community members present. Thus, there were no other issues identified or raised. Based upon the testimony and evidence presented, I am persuaded to approve the plan. In my judgment, the plan meets all requirements of the Baltimore County Development Regulations and the policies adopted thereto.

Turning to the Petition for Variance, relief is requested from Section 1A01.3.B.3 of the B.C.Z.R. to permit a setback of 50 feet, more or less, from the centerline of a street, in lieu of the required 75 feet for the existing dwelling, known as 21501 Middletown Road. In addition, relief is sought from Section 400.1 of the B.C.Z.R. to permit an existing accessory structure (garage) to be located in the side yard in lieu of the required rear yard, for the property known as 21441 Middletown Road. Based upon the testimony and evidence presented, I am persuaded to grant the variance. As noted above, the relief requested is for structures that have existed on the property for many years. To require their removal or relocation on the property would be unreasonable and result in a practical difficulty for the property owner. Moreover, I find that the relief requested is consistent with the findings made in prior Case No. 01-541-SPH and that no adverse impact will result. Thus, the relief requested shall be granted.

ORDER RECEIVED FOR FILING

Date

By

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved consistent with the comments contained herein and the restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by this Zoning Commissioner/Hearing Officer for Baltimore County this 13th day of March, 2002 that the red-lined development plan for the property of James R. Frederick & Wife, identified herein as Developer's Exhibit 1, be and is hereby APPROVED, in accordance with the following restriction:


- 1) The plan will be amended to show the location of the underground closed pipe system that supports the heat pump around the house on Lot 1, known as 21441 Middletown Road.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1A01.3.B.3 of the B.C.Z.R. to permit a setback of 50 feet, more or less, from the centerline of a street, in lieu of the required 75 feet for the existing dwelling known as 21501 Middletown Road, in accordance with Developer's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 400.1 of the B.C.Z.R. to permit an existing accessory structure (garage) to be located in the side yard in lieu of the required rear yard of the property known as 21441 Middletown Road, in accordance with Developer's Exhibit 1, be and is hereby GRANTED, subject to the restriction set forth above.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

LES:bjs


LAWRENCE E. SCHMIDT
Zoning Commissioner/Hearing Officer
for Baltimore County



Baltimore County
Zoning Commissioner

March 12, 2002

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

Howard L. Alderman, Jr., Esquire
Levin & Gann
502 Washington Avenue, 8th Floor
Towson, Maryland 21204

RE: DEVELOPMENT PLAN HEARING and PETITION FOR VARIANCE
N & S/S Middletown Road, between Baker School House & Slab Bridge Roads
(21441 & 21501 Middletown Road)
6th Election District – 3rd Council District
James R. Frederick, et ux – Owners/Developers
Case No. VI-238 & 02-198-A

Dear Mr. Alderman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The development plan has been approved and the Petition for Variance granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. & Mrs. James R. Frederick
21441 Middletown Road, Freeland, Md. 21053
Mr. Scott Lundgren, Gerhold, Cross & Etzel, Ltd.
320 E. Towsontown Blvd., #100, Towson, Md. 21286
Walt Smith, DPDM; Todd Taylor, DEPRM; Bob Bowling DPW; OP; Jan Cook, R&P;
People's Counsel; Case File





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 21441 & 21501 Middletown Road

which is presently zoned R.C. 2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1A01.3.B.3 - A setback of 50 feet, more or less, from the centerline of the street in lieu of the required 75 feet for the dwelling #21501 Middletown Road

400.1 - An accessory Structure (garage) in the side yard in lieu of the required rear yard of #21441 Middletown Road

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) The dwelling and garage in question exist and it is not feasible, nor desirable, to remove them.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

James R. Frederick

Name - Type or Print

Signature

Charlotte C. Frederick

Name - Type or Print

Signature

410

21441 Middletown Road

329-6818

Address

Telephone No.

Freeland

MD

21053

City

State

Zip Code

Representative to be Contacted:

Scott Lindgren

Gerhold, Cross & Etzel, Ltd.

Name

410

320 E. Towsontown Blvd. #100

823-4470

Address

Telephone No.

Towson

MD

21286

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

DT

Date

11/14/0

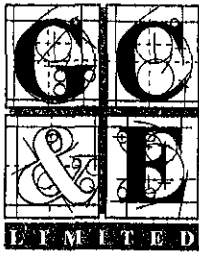
Case No. 02-198-A

RE 9/15/98

ORDER RECEIVED FOR FILING

Date

By



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

November 5, 2001

ZONING DESCRIPTION PROPERTY OF JAMES R. FREDERICK AND WIFE

Beginning at the intersection of the centerlines of Middletown Road and Baker Schoolhouse Road, thence leaving said roads and binding on the outlines of the lands of the petitioner, North 32 degrees 06 minutes 26 seconds East 250.00 feet, South 68 degrees 02 minutes 59 seconds East 798.15 feet, North 32 degrees 34 minutes 19 seconds East 773.85 feet, South 37 degrees 25 minutes 32 seconds East 259.05 feet, North 35 degrees 15 minutes 58 seconds East 604.12 feet, South 26 degrees 40 minutes 58 seconds East 696.83 feet, South 52 degrees 27 minutes 50 seconds East 219.49 feet, South 44 degrees 48 minutes 16 seconds West 1,377.13 feet and North 74 degrees 45 minutes 06 seconds West 99.54 feet to a point in or near the center of Middletown Road, thence running in or near the center of said road, South 50 degrees 02 minutes 42 seconds East 231.47 feet, South 44 degrees 44 minutes 12 seconds East 169.85 feet, and South 41 degrees 12 minutes 12 seconds East 399.64 feet, thence leaving the center of Middletown Road and binding on the northwest and west side of Slab Bridge Road, South 45 degrees 18 minutes 18 seconds West 672.89 feet, South 44 degrees 53 minutes 18 seconds West 699.36 feet, South 32 degrees 47 minutes 48 seconds West 172.84 feet, South 21 degrees 58 minutes 48 seconds West 499.55 feet, and South 20 degrees 49 minutes 48 seconds West 588.17 feet, thence leaving Slab Bridge Road, North 42 degrees 22 minutes 34 seconds West 443.50 feet, North 42 degrees 00 minutes 34 seconds West 346.71 feet, North 26 degrees 58 minutes 10 seconds East 188.41 feet, North 26 degrees 59 minutes 29 seconds West 132.00 feet, North 18 degrees 09 minutes 14 seconds East 1,139.39 feet, North 33 degrees 44 minutes 45 seconds West 412.35 feet, North 46 degrees 42 minutes 36 seconds East 296.85 feet, and North 49 degrees 24 minutes 14 seconds West 694.87 feet, to a point in Baker Schoolhouse Road, thence binding in said road, North 32 degrees 06 minutes 26 seconds East 707.30 feet to the point of beginning.

Containing 116.058 Acres of land, more or less.

Note: This description only satisfies the requirements of the Office of Zoning and is not to be used for the purposes of conveyance



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 07880

DATE 11/14/01 ACCOUNT R0010066150
AMOUNT \$ 50.00

RECEIVED FROM: SCOTT LINDEREN

FOR: FILE OF VARIANCE ITEM #198

02-198-A (21441 + 21501 MIDDLETOWN RD.)

TAKEN IN BY J THOMPSON

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

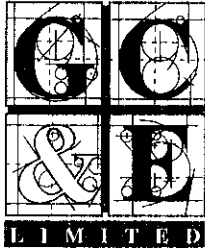
YELLOW - CUSTOMER

PAID RECEIPT

PAYMENT	ACTUAL	TIME
11/14/2001	11/14/2001	11:17:30
REC 0003	CASHIER RDBB LRD	DRAWER 5
RECEIPT # 223051		
Dept	5	528 ZONING VERIFICATION
CR NO.	007800	

Recpt Tot	50.00
50.00 CK	.00 CA
Baltimore County, Maryland	

CASHIER'S VALIDATION



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone: (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

CERTIFICATE OF POSTING

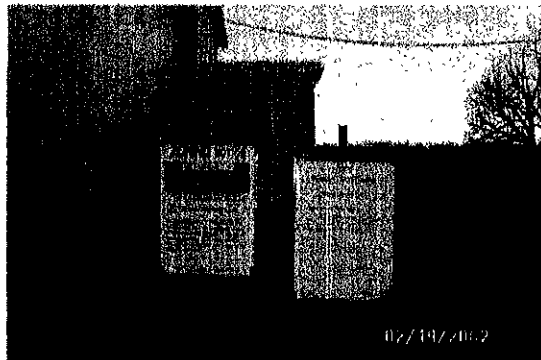
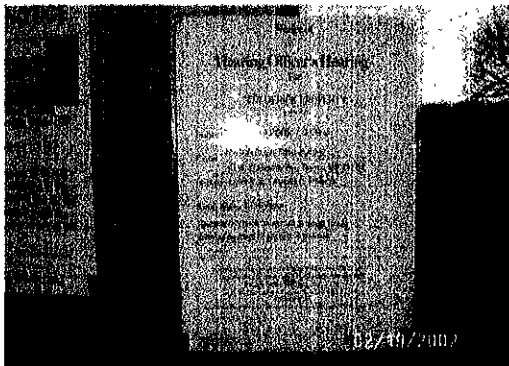
RE: CASE # 02-198-A
PETITIONER/DEVELOPER:
Charlotte C. and James R. Frederick
DATE OF HEARING:
March 1, 2002

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

ATTENTION: GEORGE ZAHNER

LADIES AND GENTLEMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGN(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT



LOCATION:

East side of Middletown Road, Northwest of Slab
Bridge Road

DATE: 2/19/02

SIGNATURE OF SIGN POSTER

BRUCE DOAK

GERHOLD, CROSS & ETZEL, LTD
SUITE 100
320 EAST TOWSONTOWN BLVD
TOWSON, MARYLAND 21286
410-823-4470 PHONE
410-823-4473 FAX

POSTED ON : 2/13/02

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 02-198-A (ITEM # 198)
Petitioner: James R. & Charlotte C. Frederick
Address or Location: 21441 & 21501 Middletown Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Charlotte C. Frederick
Address: 21441 Middletown Road
Freeland, Md. 21053
Telephone Number: 410-329-6818

TO: PATUXENT PUBLISHING COMPANY
Thursday, January 3, 2002 Issue – Jeffersonian

Please forward billing to:
Charlotte C Frederick
21441 Middletown Road
Freeland MD 21053

410 329-6818

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-198-A
21441 & 21501 Middletown Road
NW/corner Slab Bridge Road & Middletown Road
6th Election District – 3rd Councilmanic District
Legal Owners: Charlotte C & James R Frederick

Variance to permit a setback of 50 feet more or less, from the centerline of the street in lieu of the required 75 feet for the dwelling to permit an accessory structure (garage) in the side yard in lieu of the required rear yard.

HEARING: Wednesday, January 16, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue


Lawrence E. Schmidt

LAWRENCE E. SCHMIDT GDZ
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

December 14, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-198-A
21441 & 21501 Middletown Road
NW/corner Slab Bridge Road & Middletown Road
6th Election District – 3rd Councilmanic District
Legal Owners: Charlotte C & James R Frederick

Variance to permit a setback of 50 feet more or less, from the centerline of the street in lieu of the required 75 feet for the dwelling to permit an accessory structure (garage) in the side yard in lieu of the required rear yard.

HEARING: Wednesday, January 16, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon GJZ
Director

C: Charlotte C & James R Frederick, 21441 Middletown Road, Freeland 21053
Scott Lindgren, Gerhold Cross & Etzel Ltd, 320 E Towsontown Blvd, #100,
Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, DECEMBER 31, 2001.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

January 8, 2002

Scott Lindgren
Grehold Cross & Etzel Ltd
320 E Towsontown Boulevard
#100
Towson MD 21286

Dear Mr. Lindgren:

RE: Case Number 02-198-A

The above matter, previously scheduled for Wednesday, January 16, 2002, has been postponed. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

AJ: gdz

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

January 9, 2001

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-198-A
21441 & 21501 Middletown Road
NW/corner Slab Bridge Road & Middletown Road
6th Election District -- 3rd Councilmanic District
Legal Owners: Charlotte C & James R Frederick

Variance to permit a setback of 50 feet more or less, from the centerline of the street in lieu of the required 75 feet for the dwelling to permit an accessory structure (garage) in the side yard in lieu of the required rear yard.

HEARING: Friday, March 1, 2002 at 9:00 a.m. in Room 106, Baltimore County Office Building, 111 W Chesapeake Avenue

A handwritten signature in dark ink, appearing to read "Arnold Jablon".

Arnold Jablon GJZ
Director

C: Charlotte C & James R Frederick, 21441 Middletown Road, Freeland 21053
Scott Lindgren, Gerhold Cross & Etzel Ltd, 320 E Towsontown Blvd, #100,
Towson 21286

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, FEBRUARY 14, 2001.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 22, 2002

Charlotte C & James R Frederick
21441 Middletown Road
Freeland MD 21053

Dear Mr. & Mrs. Frederick:

RE: Case Number: 02-198-A, 21441 & 21501 Middletown Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 14, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning

Review

WCR: gdz

Enclosures

c: Scott Lindgren, Gerhold, Cross & Etzel Ltd, 320 E Towsontown Blvd, #100,
Towson 21286
People's Counsel

Come visit the County's Website at www.co.ba.md.us



Les
gic
1/16
PP. 3/1

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt. **DATE:** December 26, 2001

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For December 10, 2001
Item Nos. 176, 177, 178, 179, 181, 184,
185, 186, 187, 188, 189, 193, 190, 191,
193, 194, 195, 196, 197, ~~198~~ 199, and
223

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

December 12, 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF December 3, 2001

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187,
188, 190, 191, 192, 193, 195, ~~196~~ 199, 223

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us

Sim
1/16
PB

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: December 12, 2001

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

13

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-178, 02-181, 02-185, 02-187, 02-192,
02-193, 02-198, & 02-199

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

Section Chief:

Jeffrey W. Lee

AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 12.11.01

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. [REDACTED] Dt

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE
21441 & 21501 Middletown Road, NW Cor
Slab Bridge Rd & Middletown Rd
6th Election District, 3rd Councilmanic

Legal Owner: James R. & Charlotte C. Frederick
Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-198-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**




PETER MAX ZIMMERMAN
People's Counsel for Baltimore County



CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this ^{20th} day of December, 2001 a copy of the foregoing Entry of Appearance was mailed to Scott Lindgren, Gerhold, Cross & Etzel, 320 E. Towsontowne Blvd., Suite 100, Towson, MD 21286, representative for Petitioners.



PETER MAX ZIMMERMAN

pdm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DEVELOPMENT PLAN CONFERENCE

TO: Arnold Jablon, Director - Department of Permits & Development Management

FROM: Arnold F. 'Pat' Keller, III, Director - Office of Planning

DATE: February 6, 2002

PROJECT NAME: Frederick James R. Property

PROJECT NUMBER: VI-238

PROJECT PLANNER: Mark A. Cunningham

GENERAL INFORMATION:

Applicant Name: James R. Frederick
21441 Middletown Road
Freeland, MD 21053-9752

Location: N & S/S Middletown Road; W/S Slab Bridge Road

Councilmanic District: 3rd

Growth Management Area: Agricultural Preservation Area

Zoning: RC 2

Acres: 116.9± acres

Surrounding Zoning and Land Use:

North:	RC 2	Agricultural
South:	RC 2	Agricultural
East:	RC 2	Agricultural
West:	RC 2	Agricultural

Project Proposal:

The applicant proposes 5 single family detached homes on 116.9± acres of land zoned RC 2. There are slopes greater than 25% and a pond on the property. Property is wooded and 2 existing single family detached homes will remain.

Other Anticipated Actions and Additional Review Items:

- | | | |
|--|---|--|
| <input type="checkbox"/> Special Exception | <input type="checkbox"/> Special Hearing | <input type="checkbox"/> PUD |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Compatibility | <input type="checkbox"/> Design Review Panel |
| <input type="checkbox"/> Waiver | <input type="checkbox"/> Scenic Route | <input type="checkbox"/> Other |
| <input type="checkbox"/> RTA Modification | <input type="checkbox"/> Referral to Planning Board | |

MEETINGS:

Concept Plan Conference	<u>09/10/01</u>	Community Input Meeting	<u>10/24/01</u>
Development Plan Conference	<u>02/06/02</u>	Hearing Officer's Hearing	<u>03/01/02</u>
Planning Board	<u> </u>		

SCHOOL IMPACT:

The Office of Planning has reviewed the School Impact Analysis submitted by the applicant and has determined that the proposed development is in compliance with Title 26, Article IX of the Baltimore County Code.

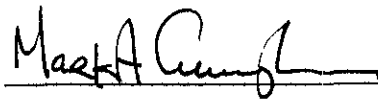
The Office of Planning has reviewed the School Impact Analysis submitted by the applicant and has determined that the proposed development is in compliance with Title 26, Article IX of the Baltimore County Code.

RECOMMENDATION

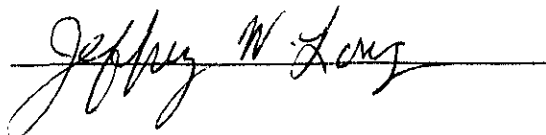
The Office of Planning has reviewed the Development Plan for conformance with Concept Plan comments of September 10, 2001 and recommends the Development Plan be **APPROVED** subject to the listing below.

1. Add a directional arrow to the dwelling on lot 4.
2. The dwelling on lot 2 should face Middletown Road. This office will oppose any reverse frontages associated with the subject plan.

Prepared By:



Section Chief:



MAC:kma

BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT



TO: GERHOLD, CROSS & ETZEL, LTD.

DATE: MAY 11, 2000

FROM: JOE CHMURA

SUBJECT: CONCEPT PLAN CHECKPRINT

PROJECT- FREDERICK, JAMES R. PROPERTY

The check print for the above-mentioned project has been reviewed for conformance with general filing requirements and may be further processed in accordance with the following:

Please make all additions/changes/deletions per the attached red-line drawing; and

Submit the following marked items to Room 123 of the County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204:

- ☒ Certified or cashier's check in the amount of \$500.00 made payable to Baltimore County for concept plan review
- ☒ 36 copies of the plan, folded to 8 1/2 X 11, for agency review (the red-line checkprint must also accompany the submittal)
- ☒ 1 copy (each): Forest Stand Delineation
Forest Conservation Worksheet
- ☒ 2 copies of conceptual landscape plan (except R.C.-2 & R.C.-4 zones)
- ☒ Please include the PDM File No. VI-238 on all subsequent plans.
- ☒ Provide space 4"w x 2.5"h in lower right hand corner of drawing for county stamp.

NOTE: 3 copies of a noise assessment report must be submitted along with the concept plans for all residential projects with lots adjacent to and within 500 feet of the edge of paving of any interstate highway.

Should you have any questions regarding this matter, please do not hesitate to call this office at (410) 887-3335.

design issues specific to the proposal can be discussed. Potential conflicts may be resolved early in the process before the Community Input Meeting and, eventually, before the Hearing Officer Hearing.

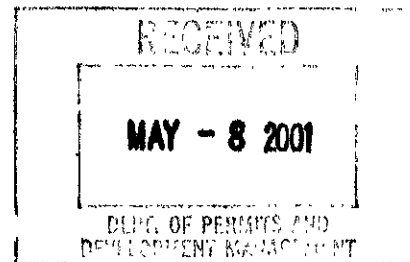
CONCEPT PLAN REQUIREMENTS-CHECKLIST

Generally, the concept plan consists of two separate maps, a site constraints map and a site proposal map. Depending upon a site's size, features, or configuration, the two maps may be combined, but only if this is requested at a pre-concept plan conference and approved by all reviewing agencies.

SITE CONSTRAINTS MAP

GENERAL

- ☒ name and address of the developer
- ☒ name and address of the preparer of the plan
- ☒ tax account numbers
- ☒ location or vicinity map, preferably at 1"=1000' scale
- ☒ property boundaries from deed or tax map information
- ☒ zone lines



NATURAL ENVIRONMENT ASSESSMENT *

Approximate location of the following:

- ☒ existing topography as shown on county photogrammetric maps, highlighting slopes greater than 25%
- ☒ N/A 100-year floodplain limits as shown on FEMA maps, county studies, or computed using approximate methods
- ☒ soils mapped and labeled in accordance with the Soil Survey, Baltimore County, Maryland
- ☒ streams, seeps, ponds, or other water bodies on and within 200 feet of the development site
- ☒ wetlands
- ☒ forest buffer limits, including adjustments for steep slopes and/or erodible soils in accordance with DEPRM's Policies, Rules, and Regulations Manual. It is not necessary to prepare the formal evaluation as set forth in Section III and IV of the Manual, unless DEPRM field verification is requested
- ☒ existing land cover (e.g., forest, meadow, agriculture, etc.) on and within 200 feet of the development site
- ☒ N/A significant regulated plant or wildlife communities using DEPRM or Maryland Department of Natural Resource data
- ☒ existing well and sewage disposal systems on and within 100 feet of the development site
- ☒ soil evaluation tests (perc tests)

N/A existing underground fuel and chemical storage tanks on and within 100 feet of the development site

BUILT ENVIRONMENT ASSESSMENT

Approximate location of the following:

✓ existing buildings and roads on and within 200 feet of the development site
N/A designated historic structures or sites as per the Landmarks Preservation Commission or the Maryland Historical Trust Inventory
N/A designated sites as per the Maryland Archeological Survey
N/A significant views that may affect the development proposal
N/A significant features (e.g., specimen trees, buildings, streetscaping, etc.) that may affect the development proposal
✓ existing land uses (e.g., commercial, single-family residential, townhouse residential, etc.) on and within 200 ft. of the development site
✓ road rights-of-way and easements

CONSISTENCY WITH COUNCIL ADOPTED PLANS

✓ Baltimore County Master Plan 1989-2000
✓ Community or Revitalization Plans
✓ Recreation and Parks Plan
✓ Streetscape Plan
✓ Greenways Plan

* Although not required, it is strongly recommended that the location of these features be field delineated by the applicant for the concept plan. Field delineations will be required for the development plan, and if the delineations are significantly different from those on the concept plan, the development plan will not be accepted for filing and another Community Input Meeting may be required.

SITE PROPOSAL MAP

✓ zoning, with maximum permitted dwelling units or square footage
✓ proposed number, type, and locations of dwelling units
N/A proposed square footage and location and use of nonresidential structures
N/A proposed road network and sidewalks or pathways
N/A proposed open space network and calculations
✓ proposed parking areas and calculations
N/A proposed stormwater management facilities
N/A proposed landscape concept and planting unit calculations
✓ average daily trips
N/A identification of significant changes to topography
N/A location of permanent project identification signs

ADDITIONAL INFORMATION

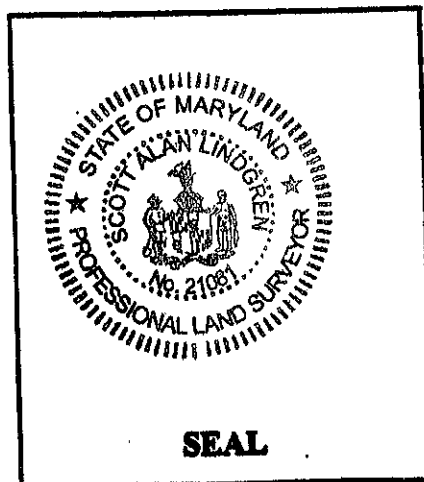
N/A other anticipated actions needed by the Zoning Commissioner or Hearing Officer such as
variances, waivers as part of the development plan, or special exceptions or hearings
✓ consistency with design manuals such as the Comprehensive Manual of Development
Policies
N/A preliminary phasing and development schedule

The required information and the key should be organized and formatted as indicated on the attachment.

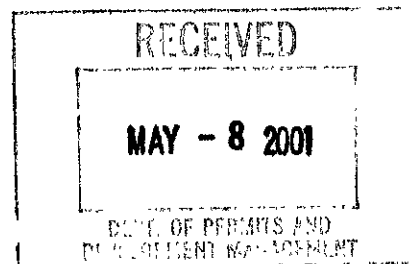
If you have any questions about concept plan requirements, please contact the Office of Planning, Development Review Section at 887-3211 or the Department of Permits and Development Management at 887-3335.

A checkmark (✓) indicates pertinent information that has been shown or noted on the plan.
N/A denotes information not applicable to this development project.

Scott A. Lindgren 5/8/01
Signature of Engineer Date



conplnck.doc/mapinfo/cab
11/7/95



GENERAL INFORMATION

NUMBER: 06-238

NAME: FREDERICK JAMES R PROPERTY

MANAGER:

Election District: 6

ADDRESS: N & S/S MIDDLETOWN RD W/S SLAB BRIDGE RD

NO. Units/Lots or Sq. Ft. 4 SFDS

Council District: 3

Tax Number: 06-07-058250 06-08-065126

Zoning: RC 2

Acres: 113

R/C: R

Developer: JAMES R FREDERICK

Dev Engineer: GERHOLD CROSS & ETZEL LTD

Developer Address: 21441 MIDDLETOWN RD FREELAND MD 21053-9752

Dev Eng Address: 320 E TOWSONTOWN BLVD STE 100 TOWSON MD 2

Developer Telephone:

Dev Eng Telephone: 410 823-4470

CONCEPT PLAN STAGE

Concept Plan CK PRT rec'd: 05/08/2001

Concept Plan Fee: \$500.00

SUBMIT CP:

Concept Plan return to engineer: 05/11/2001

CPC fee late rec'd:

CP CONF:

CIM 1:

CIM 2:

STATUS RD:

CIM PHASE

TAX DELINQ:

No

CIM TIME:

Meeting Location:

Phone #:

Find Record

Add Record

Save Record

Print Record

DEVELOPMENT PLAN/HOH STAGE

NUMBER: 06-238

NAME: FREDERICK JAMES R PROPERTY

MANAGER:

Phone #:

CRG/Dev Plan CK PPL rec'd:

CRG/Dev Plan Fee:

\$1,003.00

CRG/Dev Plan return to eng:

CRG/Dev Plan fee rec'd:

SUBMIT DP:

DEV PLAN COM TIME

DP CONC:

HOH Time:

HEARING:

CONTINUED HOH:

HEAR DECS:

CRG/Dev Plan to plans rec'd:

AGENCY CER:

CRG/Dev Plan mailed out:

APPEAL:

Meeting Location:

FINAL:

STATUS H.B.:

TAX DELINQUENT:

No

End Record

Add Record

Save Record

Print Record

1ST LIMITED EXEMPTION/ MINOR SUBDIVISION/ REFINEMENT

NAME: **FREDERICK JAMES R PROPERTY** ADDRESS: **N & S/S MIDDLETOWN RD W/S SLAB BRIDGE RD**

NUMBER: **06-238** Project Phase #: **113** DRC #: **113**

Developer: **JAMES R FREDERICK** Zoning: **RC 2** MINOR SUB #: **113**

Dev. Addr.: **21441 MIDDLETOWN RD FREELAND MD 21053-97** Dev. Engineer: **GERHOLD CROSS & EITZEL LTD**

Dev. Tel.: **113** Dev. Eng. Address: **320 E TOWSONTOWN BLVD STE 100 TOWSON MD**

Tax Number: **06-07-058250 06-08-065126** TAX DELINQUENT: **No** Dev. Eng. Telephone: **410 823-4470**

1st LID EX/MINOR/REFINE: **06-06** 1st Review Fee: **\$0.00** Election District: **6**

1st LID EX/MINOR/REFINE: **06-06** 1st Review Fee: **\$0.00** Council District: **3**

1st comments back DEPRM-ER: **No** 1st comments back SHM: **No** 1st Forward to Engineer: **113**

1st comments back DEPRM-SWIM: **No** 1st comments back OP: **No** 8 copies and comments: **113**

1st comments back PDM-DPR: **No** 1st comments back Street & S: **No** 1st plans in for signature: **113**

1st comments back Fee: **No** 1st comments back Real Estate: **No** 1st ZONING signature: **No**

1st comments back Fee Dept: **No** 1st comments back Zoning: **No** 1st DEPRM signature: **No**

1st comments back Soft Waste: **anne?** PLANNER: **113** Limited Exemption signed plans: **113**

1st comments back DEPRM-DC/GWMA: **No** REC: **R** 1st distribute signed plans: **113**

Proposed: **4 SFDS**

LOS: **No** LOS Fee Invoiced #: **113** PWA Fee: **\$2,582.00**

LOS date rec'd: **113** PWA fee date received: **113**

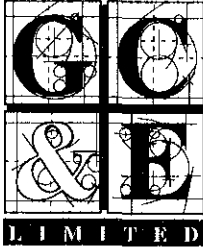
STATUS: **CONCEPT PLAN CIVIL PKT.**

Find Record

Save Record

Add Record

Print Record



Gerhold, Cross & Etzel, Ltd.

Registered Professional Land Surveyors • Established 1906

Suite 100 • 320 East Towsontown Boulevard • Towson, Maryland 21286
Phone (410) 823-4470 • Fax: (410) 823-4473 • www.gcelimited.com

TRANSMITTAL SHEET

TO:	Joe Chmura	FROM:	Scott A. Lindgren
COMPANY:	PDM	DATE:	5/8/01
RE:	Frederick Property	TOTAL NO. OF PAGES INCLUDING COVER:	many
FAX NUMBER:		PHONE NUMBER:	410-887-3335

WE ARE TRANSMITTING:

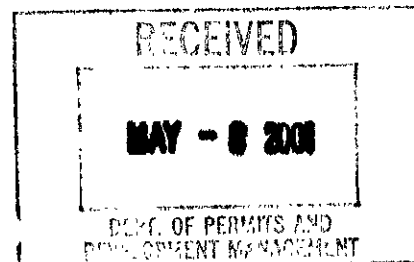
- | | | | | |
|---|---------------------------------------|--|---|---|
| <input type="checkbox"/> ATTACHED | <input type="checkbox"/> VIA MAIL | <input type="checkbox"/> VIA MESSENGER | <input type="checkbox"/> UNDER SEPARATE COVER | <input type="checkbox"/> FOR REVIEW |
| <input type="checkbox"/> PRINTS | <input type="checkbox"/> PLANS | <input type="checkbox"/> PROPOSAL | <input type="checkbox"/> DESCRIPTIONS | <input type="checkbox"/> LOCATION DRAWING |
| <input type="checkbox"/> PLEASE COMMENT | <input type="checkbox"/> PLEASE REPLY | <input type="checkbox"/> F.Y.I. | | |

QTY	DATE	ITEM	DESCRIPTION
1			checklist
2	04/27/01	sets	Site Proposal Map & Site Constraints Map

NOTES/COMMENTS:

Submitted for initial review.

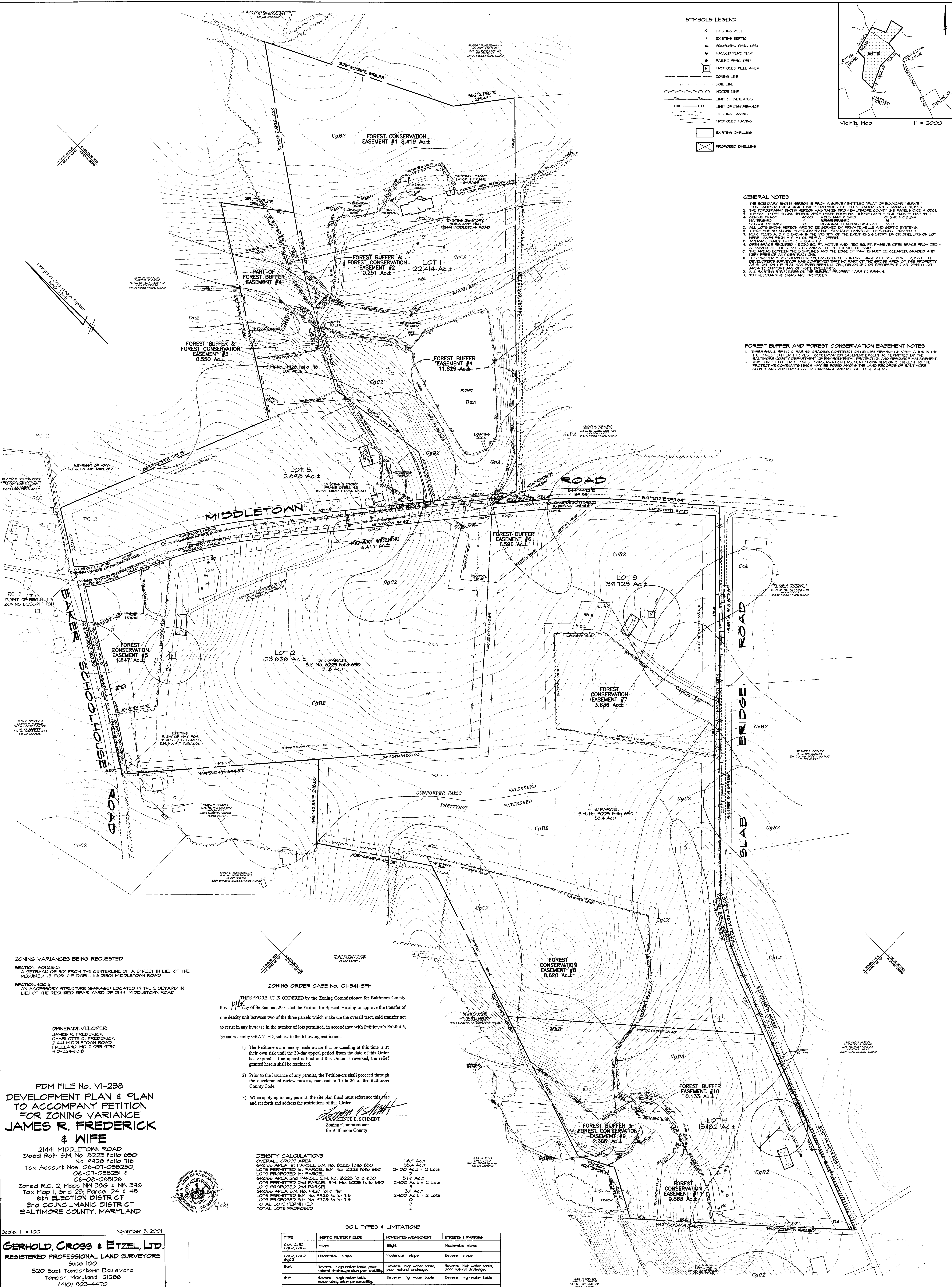
Scott A. Lindgren
Scott A. Lindgren
Project Manager





NW 38 G

NW



SYMBOLS LEGEND

- EXISTING WELL
- EXISTING SEPTIC
- PROPOSED PERC TEST
- PASSED PERC TEST
- FAILED PERC TEST
- PROPOSED WELL AREA
- ZONING LINE
- SOIL LINE
- WOODS LINE
- LIMIT OF WETLANDS
- LIMIT OF DISTURBANCE
- EXISTING PAVING
- PROPOSED PAVING
- EXISTING DWELLING
- PROPOSED DWELLING

GENERAL NOTES

- THE BOUNDARY SHOWN HEREON IS FROM A SURVEY ENTITLED "PLAN OF BOUNDARY SURVEY FOR JAMES R. FREDERICK & WIFE, PREPARED BY LEO H. SCHMIDT DATED JANUARY 26, 1985.
- THE TOPOGRAPHY SHOWN HEREON HAS BEEN TAKEN FROM BALTIMORE COUNTY GIS PANELS 0103 & 0204.
- THE SOIL TYPES SHOWN HEREON WERE TAKEN FROM BALTIMORE COUNTY SOIL SURVEY MAP NO. 11.
- GENESIS TRACT 4060 ADD. MAP 4 GRID 01-2-A & 02-2-A
- WATERSHED 14
- SCHOOL DISTRICT 30B
- ALL LOTS SHOWN HEREON ARE TO BE SERVED BY PRIVATE WELLS AND SEPTIC SYSTEMS.
- THERE ARE NO KNOWN UNDERGROUND FUEL STORAGE TANKS ON THE SUBJECT PROPERTY.
- PERC TESTS A, B & C SHOWN IN THE VICINITY OF THE EXISTING 24 STORY BRICK DWELLING ON LOT 1.
- OPEN SPACE REQUIRED - 3000 SQ. FT. ACTIVE AND 1750 SQ. FT. PASSIVE, OPEN SPACE PROVIDED - A WALKER WILL BE REQUESTED AND A FEE-IN-LIEU WILL BE PAID.
- AVERAGE DAILY TRIPS 5 x 12.4 = 62
- THE AREA BETWEEN THE SIGHTLINES AND THE EDGE OF PAVING MUST BE CLEARED, GRADED AND LEFT FREE OF ANY OBSTRUCTIONS.
- THIS PROJECT HAS BEEN REVIEWED AND APPROVED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- THE FOREST BUFFER & FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO THE PROTECTIVE COVENANTS WHICH MAY BE FOUND AMONG THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTANCE AND USE OF THESE AREAS.
- ALL EXISTING STRUCTURES ON THE SUBJECT PROPERTY ARE TO REMAIN.
- NO FREESTANDING SIGNS ARE PROPOSED.

FOREST BUFFER AND FOREST CONSERVATION EASEMENT NOTES

- THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER AND FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
- THE FOREST BUFFER & FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO THE PROTECTIVE COVENANTS WHICH MAY BE FOUND AMONG THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTANCE AND USE OF THESE AREAS.

ZONING VARIANCES BEING REQUESTED:
SECTION 1A01B.2:
A SETBACK OF 50' FROM THE CENTERLINE OF A STREET IN LIEU OF THE REQUIRED 75' FOR THE DWELLING 21441 MIDDLETOWN ROAD
SECTION 400:
AN ACCESSORY STRUCTURE (GARAGE) LOCATED IN THE SIDEYARD IN LIEU OF THE REQUIRED REAR YARD OF 21441 MIDDLETOWN ROAD

ZONING ORDER CASE No. 01-541-SPH

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of September, 2001 that the Petition for Special Hearing to approve the transfer of one density unit between two of the three parcels which make up the overall tract, said transfer not to result in any increase in the number of lots permitted, in accordance with Petitioner's Exhibit 6, be and is hereby GRANTED, subject to the following restrictions:

- The Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- Prior to the issuance of any permits, the Petitioners shall proceed through the development review process, pursuant to Title 26 of the Baltimore County Code.
- When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

PDM FILE No. VI-238
DEVELOPMENT PLAN & PLAN
TO ACCOMPANY PETITION
FOR ZONING VARIANCE
JAMES R. FREDERICK
& WIFE

21441 MIDDLETOWN ROAD
Deed Ref: S.M. No. 8225 folio 650
No. 4928 folio 716
Tax Account Nos. 06-01-058250,
06-01-058251 &
06-01-058252
Zoned R.C. 2; Maps NN 306 & NN 346
Tax Map 1; Grid 23; Parcel 24 & 48
6th ELECTION DISTRICT
3rd COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND

DENSITY CALCULATIONS

OVERALL GROSS AREA
GROSS AREA 1st PARCEL S.M. No. 8225 folio 650
LOTS PERMITTED 1st PARCEL S.M. No. 8225 folio 650
GROSS AREA 2nd PARCEL S.M. No. 8225 folio 650
LOTS PERMITTED 2nd PARCEL S.M. No. 8225 folio 650
GROSS AREA 3rd PARCEL S.M. No. 4928 folio 716
LOTS PERMITTED 3rd PARCEL S.M. No. 4928 folio 716
TOTAL LOTS PERMITTED
TOTAL LOTS PROPOSED

SOIL TYPES & LIMITATIONS

TYPE	SEPTIC FILTER FIELDS	HOMESITES W/SEWERAGE	STREETS & PARKING
CcA, CcB2	Slight	Slight	Moderate, slope
CcC2, CcC2	Moderate, slope	Moderate, slope	Severe, slope
BaA	Severe, high water table; poor natural drainage	Severe, high water table; poor natural drainage	Severe, high water table; poor natural drainage
CnA	Severe, high water table; moderately slow permeability	Severe, high water table	Severe, high water table
CcC2, CcD3	Severe, slope	Severe, slope	Severe, slope

Scale: 1" = 100'
November 5, 2001
GERHOLD, CROSS & ETZEL, LTD.
REGISTERED PROFESSIONAL LAND SURVEYORS
Suite 100
320 East Tonsontown Boulevard
Towson, Maryland 21286
(410) 823-4470

